

ALEX G. TSE (CABN 152348)
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 18-448 JST
)	
Plaintiff,)	STIPULATION AND
)	
v.)	PROPOSED
)	
AINSLEE SMITH, et al,)	ORDER SETTING STATUS HEARING DATE
)	AND EXCLUDING TIME
Defendants.)	

The original Indictment in this case charged one defendant in two counts. The Superseding Indictment, filed November 29, 2018, charged three additional defendants and added four counts. All defendants have been arraigned, but so far, only defendant Smith has appeared before the District Court. In order to facilitate the management of the case, the parties agree that all defendants should appear at the same time before the District Court. The first date that most counsel are available is February 1, 2019.¹ The parties therefore request that the Court set this matter on calendar on Friday, February 1, 2019 at 9:30 a.m. for a status.

¹ Counsel for Smith may still be in trial at that point. If that is the case, he will make arrangements for someone to appear on his behalf for Smith.

1 The government anticipates producing the discovery in this during the first week in January,
2 2019.² This includes numerous investigative reports, GPS location data from cell phone and vehicle
3 trackers, photos, videos, audio files, cell phone downloads, and other items, plus the search warrants
4 authorizing the government to gather some of that evidence. The parties agree that the production will
5 include a substantial amount of information, that defense counsel will require time to review and analyze
6 that information, and discuss it with their respective clients. For these reasons, the parties agree that the
7 Court should exclude time between December 21, 2018 and February 1, 2019 for the effective
8 preparation of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

9
10 DATED: December 26, 2018

Respectfully submitted,

11 ALEX G. TSE
12 United States Attorney

13 /s/
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15
16 /s/ Frank Riebli w/ permission
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17 Attorney for Ainslee Smith

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19 RICHARD TAMOR
20 Attorney for Britt Dunn

21 /s/ Frank Riebli w/ permission
22 SCOTT SUGARMAN
Attorney for Tyler Soohoo

23 /s/ Frank Riebli w/ permission
24 MICHAEL LEVINSOHN
25 Attorney for Michael Swenk
26

27 ² The government mailed out discovery disks on December 21, 2018. There was a problem with
28 those disks, however. The government is working to correct the problem and produce the discovery
during the first week in January, 2019.

1 For the reasons stated above, the Court hereby directs the Clerk to add the above-captioned
2 matter to the Court's regular criminal calendar for a status hearing on February 1, 2018 at 9:30 a.m. in
3 Oakland, California. The Court vacates the January 4, 2019 status hearing for Britt Dunn, and the
4 January 11, 2019 status hearing for Ainslee Smith. Finally, for the reasons stated above, the Court finds
5 that time is properly excluded from December 21, 2018 to and including February 1, 2019 for the
6 effective preparation of counsel, and that these interests outweigh the interests of the public and the
7 defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(b)(iv).

8 **IT IS SO ORDERED.**

9 DATED: December 28, 2018

10 
11 HON. JON S. TIGAR
United States District Judge